



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Toshiro KINOSHITA et al.

Application No.: 10/540,771

Group Art Unit: 1794

Confirmation No. 7143

Filed: June 24, 2005

Examiner: Gerard T. Higgins

For: OPTICAL DISK AND ITS MANUFACTURING METHOD

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents PO Box 1450

Alexandria, VA 22313-1450

Sir:

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In accordance with the duty of disclosure provisions of 37 CFR § 1,56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the subject application.

Enclosures	closures accompanying this Information Disclosure Statement are:				
1a. ⊠ 1b. ⊠	Form PTO-1449. Copy(ies) of IDS citation(s), except for U.S. Patents and U.S. Patent Application publications.				
1c. 🛚					
1d. 🗌	English language translation (complete, Abstract or relevant portion(s)) attached to non-English language publications as indicated on the attached form PTO-1449.				
1e. 🛚	Explanations of Relevancy of References (ATTACHMENT 1(e), hereto) for providing a concise explanation of non-English publications.				
1f. ☐ 1g. 🗵					
☐ This Infor	mation Disclosure Statement is filed under 37 CFR § 1.97(b):				
	(Check either Item 2a or 2b or 2c ซะ/2ต่ะเบ มมบบบ พยบยยย44 1ช540/71				
2a. 🗌 2b. 🗌	Within three months of the filing date of a national application; 186.86 0P Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application.				
2c.	Before the mailing of a first Office Action on the merits; or Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114.				

Serial No.: 10/540,771

3.		This Information Disclosure Statement is filed under 37 CFR § 1.97(c) after the period specified in paragraph 2 above but before the mailing date of any of a Final Office Action under § 1.113, a Notice of Allowance under § 1.311 or an action that otherwise closes prosecution in the application, AND		
			(Check either Item 3a or 3b; Item 3b to be checked if any reference known for more than 3 months)	
		3a. ☐ 3b. ☐	The § 1.97(e) Statement in Item 5 below is applicable; OR The \$180.00 fee set forth in 37 CFR § 1.17(p) is: enclosed.	
			to be charged to Deposit Account No. 19-3935.	
4.			mation Disclosure Statement is filed under 37 CFR § 1.97(d) after the period in paragraph 3 above, but on or before payment of the Issue Fee, AND The § 1.97(e) Statement in Item 5 below is applicable; AND The \$180.00 fee set forth in 37 CFR § 1.17(p) is:	
			to be charged to Deposit Account No. 19-3935.	
5.	\boxtimes	Statemen	t under § 1.97(e) (applicable if Item 3a or Item 4a is checked) (Check either Item 5a or 5b)	
		5a. 🛚	In accordance with 37 CFR § 1.97(e)(1), it is stated that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.	
		5b. 🗌	In accordance with 37 CFR § 1.97(e)(2), it is stated that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known by any individual designated in § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.	
3.		This is a 0 1.53(b).	continuation/divisional/continuation-in-part application under 37 CFR §	
			(Check appropriate Items 6a and/or 6b)	
		6a. 🗌	Copies of the publications listed on the attached Form PTO-1449 which were previously cited in prior application Serial No, filed on, and which is relied on for an earlier effective filing date for the subject application under 35 U.S.C. § 120, have been omitted pursuant to 37 CFR § 1.98(d).	
		6b. 🗌	Copies of the publications listed on the attached Form PTO-1449 which were not previously cited in prior application Serial No, filed on, and which is relied on for an earlier effective filing date for the subject application under 35 U.S.C. 8.120, are provided berewith	

Serial No.: 10/540,771

7.		This is a Request for Continued Examination under 37 CFR § 1.114.			
			(Check either Item 7a or 7b)		
		7a. ∐	The Issue Fee has not been paid.		
		7b. 🗌	A Petition to Withdraw from issue under 37 CFR § 1.313(c) is filed		
			concurrently herewith or has been granted. A Request for Continued Examination under 37 CFR § 1.114, after payment of the Issue Fee, is		
			proper in accordance with 37 CFR § 1.114(a), respectively.		
			proposition described man or of the gritinately, respectively.		
8.		This is a	Supplemental Information Disclosure Statement.		
			(Check either Item 8a or 8b)		
		8a. 🗌	This Supplemental Information Disclosure Statement under 37 CFR § 1.97(f) supplements the Information Disclosure Statement filed on A bona fide attempt was made to comply with 37 CFR § 1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental IDS can		
			be considered as if properly filed on		
		8b. 🗌	This Supplemental Information Disclosure Statement is timely filed within one (1) month of the Notice under 37 CFR §§ 1.97 and 1.98, mailed		
9.	□ Ir	accorda	nce with 37 CFR § 1.98, a concise explanation of what is presently		
understood to be the relevance of each non-English language publication is:					
			(Check appropriate Items 9a. 9b. 9c and/or 9d)		
		9a. 🗌	satisfied for the non-English language publication(s) cited on the enclosed "English language version of the search report or action which indicates the degree of relevance found by the foreign office". (See MPEP§ 609, Minimum Requirements for an Information Disclosure Statement, Part A(3):		
		9b. 🗆	Concise Explanation of Relevance, 8th Ed., Rev. 2)		
		9c.	set forth in the application. satisfied for the non-English language publication(s) indicated on the		
		ЭС	attached Form PTO-1449 as having an English language translation		
			(complete or relevant portion(s)) attached thereto.		
		9d. 🔲	enclosed as Attachment 1(e), hereto.		
10.	be tha	, material in search	n is made that the information cited in this Statement is, or is considered to to patentability nor a representation that a search has been made (other report(s) from a counterpart foreign application or a PCT International ort, if submitted herewith). 37 CFR §§ 1.97(g) and (h).		

 The Commissioner is authorized to credit any overpayment or charge any additional fee required under 37 CFR § 1.17 for this Information Disclosure Statement to Deposit Account No. 19-3935.

Respectfully submitted,

-STAAS & HALSEY LLP

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EXPLANATIONS OF RELEVANCY OF REFERENCES

	ATTACHMENT 1(e)	
ATTORNEY DOCKET NO.	APPLICATION NO.	
970.1012	10/540,771	
FIRST NAMED INVENTOR		
Toshiro KINOSHITA et al.		
FILING DATE	GROUP ART UNIT	
June 24, 2005	1794	

- Please note that JP 2000-105945 (reference AG), JP 2002-367234 (reference AH), JP 11-185291 (reference AI), and WO 99/00794 (reference AJ) were cited in a Japanese Office Action issued on October 21, 2008 in corresponding Japanese Patent Application No. 2005-504767.
- Please note that the Japanese Office Action also cites JP 2000-011448, JP 2002-025108, and JP 2000-030302, which were previously filed in an Information Disclosure Statement filed on June 24, 2005.
- It is brought to the attention of the Examiner that JP 05-248349, cited in an Information Disclosure Statement filed on June 24, 2005, was incorrectly identified on the PTO-1449. The correct Japanese reference number is JP 05-258349. It is respectfully requested that the Examiner consider JP 05-258349, as listed on the attached PTO-1449 (reference AK). A copy of JP 05-258349 is enclosed for the Examiner's convenience.